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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :
STEPHEN G. EMERSON ET AL : GROUP ART UNIT: 1632
SERIAL NO.: 09/970,934 :
FILED: OCTOBER 5, 2001 : EXAMINER: WOITACH, J.T.
FOR: METHODS, COMPOSITIONS AND DEVICES FOR GROWING
HEMATOPOIETICS CELLS

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RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Official Action mailed March 5, 2003, the Applicants elect, with traverse, Group I, Claims 1-14 and 26 for further prosecution.

REMARKS

The Office has restricted this application as follows under 35 U.S.C. §121:

- Group I: Claims 1-14 and 26, drawn to a method of growing hematopoietic cells in culture comprising combining stromal cells and hematopoietic cells suspected of comprising neoplastic cells, and harvesting said hematopoietic cells..
- Group II: Claims 15-20, drawn to a bioreactor containing stromal cells.
- Group III: Claims 21-25, drawn to transformed fibroblast cells expressing a human growth factor.

Applicants have elected Group I, Claims 1-14 and 26 with traverse.

Applicants respectfully traverse on the grounds that the Office has not shown that a